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UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT  
 SOUTHERN DIVISION

UNILOC LUXEMBOURG, S.A.,

Plaintiff,

vs.

MICHAEL W. BRODERICK,

Defendant.

CASE NO: 8:16-cv-00231-SJS-DFM

Assigned to: Judge Cormac J. Carney  
 Dept.: 9B

Referred to: Magistrate Judge Douglas  
 F. McCormick  
 Dept.: 6B

Complaint Filed: 10/13/15

Trial Date: not set

**JOINT RULE 26(f) REPORT**

Plaintiff Uniloc Luxembourg, S.A. (“Uniloc Luxembourg”) and Defendant Michael W. Broderick (“Broderick”) hereby submit the following Joint Rule 26(f) Report.

**I. RULE 26(F) CONFERENCE**

On April 14, 2016, and with continuing discussions thereafter, the parties’ counsel conducted their Rule 26(f) Conference. Counsel discussed the matters set forth in Federal Rule of Civil Procedure 26, the Local Rules, and this Court’s Notice of Intent.

**II. JOINT REPORT**

**A. Nature and Basis of Claims and Defenses.**

Broderick was at one time the Chief Executive Officer of various “Uniloc” affiliate companies. As part of his compensation, Broderick obtained vested stock options in one of those companies – Uniloc Corporation Pty. Limited (“Uniloc Australia”). Later, intellectual property controlled by Uniloc Australia was spun off to a new Luxembourg entity named Uniloc Luxembourg, S. A. (“Uniloc Luxembourg”). Shortly thereafter, the shareholders of Uniloc Australia received shares in Uniloc Luxembourg. Broderick had exercised an option on one share of Uniloc Australia stock and thus received one share of Uniloc Luxembourg when the spin off occurred. Broderick continues to have stock options in Uniloc Australia and it is Broderick's position that he already has stock options in Uniloc Luxembourg. While Uniloc Luxembourg acknowledges that Broderick is likely entitled to receive stock options in Uniloc Luxembourg, it disputes whether Broderick already has Uniloc Luxembourg stock options, and notes that Broderick has recently denied owning Uniloc Luxembourg stock options. In addition, the

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1 parties dispute certain material details of any options in Uniloc Luxembourg  
 2 Broderick has or may be entitled to have, including the number, strike price, and  
 3 expiration date of those options.

4 Broderick over time has made various claims against Uniloc Luxembourg  
 5 with respect to Uniloc Luxembourg stock and stock options. In response to  
 6 Broderick's claims, Uniloc Luxembourg brought this case against Broderick as a  
 7 declaratory judgment action, seeking a declaration of the Court with respect to the  
 8 claims made by Broderick. Those claims include Broderick's claims to: (1) a right  
 9 to redemption from Uniloc Luxembourg for Broderick's stock and stock options in  
 10 Uniloc Australia and Uniloc Australia; (2) a claim that Broderick is entitled to  
 11 enforce a 2011 Stock Option Agreement for 61,149 shares of Uniloc Luxembourg at  
 12 an exercise price of two cents per share; and (3) a claim that the stock grant plan  
 13 adopted in 2013 by Uniloc Luxembourg and rescinded by the Uniloc Luxembourg  
 14 shareholders in 2015 provides rights to Broderick. See the Second Amended  
 15 Complaint filed April 26, 2016. Uniloc Luxembourg denies that Broderick has  
 16 rights under any of those three claims.

#### 17 **B. Discussion of Settlement.**

18 The parties agree that the Court's ADR Program may be used for settlement  
 19 and that the mediation session should occur at least 90 days before the date when the  
 20 case is scheduled for trial.

#### 21 **C. Disclosures Required by Rule 26(a)(1).**

22 The parties will make all disclosures required by Rule 26(a)(1) by May 5,  
 23 2016.

#### 24 **D. Issues Related to Preserving Discoverable Information.**

25 The parties have agreed to take all necessary steps to preserve relevant  
 26 discoverable information in both electronic and paper form.

#### 27 **E. Proposed Discovery Plan.**

28 (1) Initial Disclosures will be made by May 5, 2016.

(2) Discovery is needed on the substance of the claims made by Plaintiff in the case. The parties anticipate document discovery occurring first, followed by deposition discovery. Both parties will produce relevant emails related to the case. Based on the current pleadings, expert testimony is not expected, but may be needed if new claims are pled.

The proposed schedule from the parties is set forth on Appendix 1.

**F. Estimated Length of Trial.**

Two to three trial days.

**G. Additional Points to Address From Local Rule 26-1.**

This matter is of standard complexity. The expected dates for dispositive motions are set forth in the attached Appendix 1. The parties estimate trial time of two to three trial days. The parties do not expect any additional parties will be added to the case.

Respectfully Submitted,

Dated: April 28, 2016

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/s/ Steven C. Smith

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*(signatures continued on next page)*

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1 Dated: April 28, 2016

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BENNETT, P.A.

3 /s/ John L. Krenn

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14 *Uniloc Luxembourg, S.A.*

15 Dated: April 28, 2016

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24 *Attorneys for Defendant*  
25 *Michael W. Broderick*

**APPENDIX 1**

(TO JOINT REPORT OF RULE 26(f) CONFERENCE—*Uniloc Luxembourg, S.A. v. Broderick*, Civ. No. 8:16-cv-00231-CJC-DFM)

**PROPOSED SCHEDULING ORDER DEADLINES**

<p><u>August 1, 2016</u></p> <p><u>September 1, 2016</u></p> <p><u>December 15, 2016</u></p> <p><u>January 15, 2017</u></p>	<p>All discovery shall be commenced in time to be completed by this date. The parties believe that amount of time will be sufficient to complete fact discovery.</p> <p>Deadline for filing motions to dismiss, motions for summary judgment, or other dispositive motions.</p> <p>Case set for pre-trial conference.</p> <p>Case set for trial.</p>
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**PROOF OF SERVICE**  
*Uniloc v. Broderick*  
USDC Case No. 8:16-cv-00231

I, the undersigned, declare that I am over the age of 18 years, employed in the County of Orange, and not a party to the within action. My business address is 3161 Michelson Drive, Suite 925, Irvine, CA 92612. On April 28, 2016, I affected electronic service of the following:

**JOINT RULE 26(f) REPORT**

on all interested parties in this action listed below:

Brett J Vottero  
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By submitting an electronic version of the documents(s) to One Legal, LLC, through the user interface at [www.onelegal.com](http://www.onelegal.com)

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 28, 2016, in Irvine, California.

/s/ Kaylene Canaan  
Kaylene Canaan

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